

Message Text

UNCLASSIFIED

PAGE 01 STATE 070816 TOSEC 030133
ORIGIN PRS-01

INFO OCT-01 ISO-00 SS-15 CCO-00 EUR-12 SSO-00 NSC-05
NSCE-00 /034 R

DRAFTED BY S/PRS:JHTRATTNER:AVW
APPROVED BY S/PRS:JHTRATTNER
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FM SECSTATE WASHDC
TO USDEL SECRETARY PRIORITY

UNCLAS STATE 070816 TOSEC 030133

FOR CARTER AND TWADDELL FROM S/PRS

E.O. 11652: NA

TAGS: SOPN (VANCE, CYRUS R.)

SUBJECT: SEIZURE OF SOVIET TRAWLER: DEPT'S PRESS BRIEFING
MARCH 30, 1977

NO. 14

FOLLOWING IS SUMMARY OF PORTION OF DEPT'S PRESS BRIEFING
OF 3/30 CONCERNING SEIZURE OF SOVIET TRAWLER.

IN RESPONSE TO QUESTION FOR DETAILS ON WHAT HAPPENED AND
WHY SHIP WAS CITED FOR VIOLATION RATHER THAN SEIZED, DEPUTY
SPOKESMAN SAID TRAWLER HAD VALID PERMIT FOR FISHING IN
WHAT IS KNOWN AS A "WINDOW" FOR CERTAIN SPECIES WITHIN
U.S. 200 MILE BOUNDARY. SOVIET TRAWLER WAS CITED FOR BE-
ING OUTSIDE DESIGNATED WINDOW AREA. THERE IS A RANGE OF
ALTERNATIVES IN CASES LIKE THIS GOING FROM SEIZURE OF A
VESSEL DOWN TO AN ASSESSMENT OF CIVIL CITATION WITH FINE
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UP TO 25 THOUSAND DOLLARS PER DAY. THIS IS UNDER FISHERY
CONSERVATION AND MANAGEMENT ACT WHICH TOOK EFFECT 1 MARCH.
IN CASE OF THIS SOVIET VESSEL, DECISION WAS MADE TO ISSUE
CITATION RATHER THAN SEIZE. ULTIMATE DECISION WAS MADE BY
DEPT OF STATE. WHILE COAST GUARD IS RESPONSIBLE FOR
REPORTING AND PASSING ON INFORMATION, AND, EVENTUALLY, FOR
ENFORCEMENT, DECISION ON SEIZURE OF A FOREIGN VESSEL

OBTAINING MUST REST WITH DEPT OF STATE. QUESTIONED AS TO WHO MADE DECISION, SPOKESMAN SPECIFIED ACTING SECRETARY.

Q: COAST GUARD SPOKESMAN SAID THIS MORNING THAT STATE DEPT DECISION WAS "UNUSUAL" AND THAT HE ASSUMES DECISION TO "INTERVENE" AND PREVENT SEIZURE BY COAST GUARD WAS MADE BECAUSE OF PRESENCE OF SECRETARY IN MOSCOW. DO YOU HAVE ANY COMMENT?

ANSWER: COAST GUARD INDIVIDUAL WHO MADE THOSE ASSUMPTIONS AND OBSERVATIONS WAS SPEAKING OUT OF LINE. HIS ASSUMPTIONS ARE HIS OWN AND, WITHOUT GOING INTO DETAIL ON DECISION MAKING PROCESS IN THIS BLDG WHERE ULTIMATE DECISION RESTED, THERE WAS A RANGE OF FACTORS THAT HAD TO BE TAKEN INTO ACCOUNT -- CERTAINLY THE NEWNESS OF THE LAW, THE RANGE OF ACTIONS POSSIBLE TO US WITH REGARD TO THE VIOLATION. OBVIOUSLY, THE FACT OF THE SECRETARY BEING IN MOSCOW HAS TO BE ONE OF THE FACTORS TO BE TAKEN INTO ACCOUNT IN ARRIVING AT ANY KIND OF DECISION OF THIS SORT, BUT IT IS ENTIRELY OUT OF ORDER FOR AN ASSUMPTION TO BE MADE IN WAY THAT HAS BEEN REPRESENTED IN THIS QUOTATION. WHEN YOU ARE TALKING ABOUT INTERVENING PROCEDURE, THAT IS ABSOLUTELY INACCURATE. IT IS NOT NECESSARY FOR THE STATE DEPT TO INTERVENE, IT IS THE STATE DEPT'S RESPONSIBILITY TO MAKE THE FINAL DECISION ON WHETHER OR NOT A FOREIGN VESSEL SHALL BE SEIZED.

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DEPUTY SPOKESMAN ALSO SAID, AT ANOTHER POINT IN BRIEFING, THAT NONE OF THE APPROXIMATE HALF DOZEN OTHER FOREIGN VESSELS INTERCEPTED SINCE 1 MARCH, AMONG THEM SOME JAPANESE VESSELS, HAD BEEN SEIZED.

2. FOLLOWING ARE TEXTS OF TWO UPI STORIES WRITTEN BY JIM ANDERSON; THE FIRST RAN WEDNESDAY MORNING BEFORE DEPT BRIEFING, THE SECOND IN MID-AFTERNOON.

WASHINGTON: COAST GUARD SAID TODAY IT RELEASED A SOVIET TRAWLER THAT WAS SEIZED FOR FISHING VIOLATIONS BECAUSE STATE DEPT INTERVENED, APPARENTLY TO KEEP SECSTATE VANCE'S VISIT TO MOSCOW ON TRACK.

A SPOKESMAN FOR 3RD COAST GUARD DISTRICT IN NEW YORK, LT. RICK WILLIAMS, SAID COAST GUARD CUTTER BIBB STOPPED AND BOARDED SOVIET TRAWLER GEROY ELTIGEN AT 12:40 P.M. MONDAY 157 MILES OFF CAPE COD.

WILLIAMS SAID ALTHOUGH SOVIET VESSEL HAD A LICENSE TO FISH WITHIN 200 MILE TERRITORIAL LIMIT OF U.S., IT DID NOT COVER SOME SPECIES OF FISH FOUND ABOARD VESSEL, AND THE RUSSIANS HAD BEEN FISHING OUTSIDE PERMITTED FISHING AREAS.

BECAUSE VIOLATIONS WERE REGARDED AS SERIOUS, WILLIAMS SAID, THE COMMANDER OF THE CUTTER SAID HE WAS GOING TO SEIZE SOVIET VESSEL, AND RADIOED HQS FOR PERMISSION.

COMMANDANT OF COAST GUARD CONCURRED, WILLIAMS SAID, BUT STATE DEPT, WHICH WAS CONSULTED BECAUSE A FOREIGN GOVT WAS INVOLVED, SENT A MESSAGE OBJECTING TO SEIZURE.

WILLIAMS SAID STATE DEPT DID NOT EXPLAIN ITS OBJECTION, BUT HE SAID, "WE ASSUME IT IS BECAUSE SECSTATE IS IN MOSCOW. IT IS A FACT THAT HE IS THERE." HE DESCRIBED IT UNCLASSIFIED

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AS UNUSUAL FOR STATE DEPT TO OBJECT TO SEIZURE OF A FOREIGN VESSEL CAUGHT IN A SERIOUS FISHING VIOLATION.

STATE DEPT SPOKESMAN JOHN TRATTNER, INFORMED OF CG'S STATEMENT (THAT DEPT'S ACTION WAS DUE TO VANCE PRESENCE IN MOSCOW), DESCRIBED IT AS "PURE SPECULATION" BUT SAID HE COULD NOT GIVE FURTHER INFORMATION. VANCE IS IN MOSCOW FOR CARTER ADMINISTRATION'S FIRST HIGH LEVEL CONTACTS WITH SOVIET LEADERSHIP IN TALKS WHICH FOCUS ON LIMITING NUCLEAR WEAPONS.

WASHINGTON: STATE DEPT CONFIRMED WEDNESDAY IT STOPPED CG FROM SEIZING A SOVIET TRAWLER DAY SECSTATE VANCE OPENED HIS OFFICIAL VISIT TO MOSCOW.

STATE DEPT SPOKESMAN F. BROWN SAID DESIRE TO AVOID AN EMBARRASSING INCIDENT DURING VANCE'S VISIT, "OBVIOUSLY WAS A FACTOR" IN MONDAY'S INTERVENTION DECISION.

BUT HE MAINTAINED A CG SPOKESMAN WAS "ENTIRELY OUT OF LINE" IN DESCRIBING INTERVENTION "UNUSUAL" AND SUGGESTING VANCE VISIT WAS MAJOR REASON FOR IT.

CG SPOKESMAN, LT. RICK WILLIAMS, SAID CUTTER BIBB BOARDED SOVIET TRAWLER GEROY ELTIGEN ON MONDAY, 157 MILES OFF COAST OF CAPE COD.

HE SAID SOVIET CAPTAIN HAD A VALID U.S. FISHING LICENSE, BUT WAS OUTSIDE PRESCRIBED FISHING AREAS AND HAD SEVERAL PROHIBITED SPECIES IN HIS NETS.

WILLIAMS DESCRIBED VIOLATIONS AS "SERIOUS" AND SAID CUTTER
COMMANDER DECIDED TO FORCE SOVIET SHIP INTO PORT AFTER
CHECKING WITH HIS SUPERIORS.

BUT STATE DEPT, WHICH MUST CONCUR IN DECISIONS TO SEIZE
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"WE ASSUME IT IS BECAUSE SECSTATE IS IN MOSCOW," WILLIAMS
SAID. HE DESCRIBED STATE DEPT DECISION AS "UNUSUAL" IN
VIEW OF FACT THAT TRAWLERS' VIOLATIONS WERE CONSIDERED
SERIOUS.

BROWN DISAGREED.

"IN VIEW OF ALTERNATIVES, RANGING FROM SEIZURE TO CIVILIAN
FINES UP TO 25,000 DOLLARS PER DAY, AND IN VIEW OF RECENT
DATE OF LAW WHICH CAME INTO EFFECT 29 DAYS AGO, DECISION
WAS MADE THAT VESSEL SHOULD NOT BE SEIZED," HE SAID.

"OBVIOUSLY, FACT OF SECSTATE BEING IN MOSCOW WAS A FACTOR".

BUT, BROWN SAID, "CG SPOKESMAN IS ENTIRELY OUT OF LINE.
LET'S JUST SAY THE SECRETARY'S VISIT WAS A FACTOR THAT
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THE NEW LAW BROWN REFERRED TO PROCLAIMS A 200 MILE LIMIT
FOR U.S. TERRITORIAL WATERS AND ESTABLISH NEW FISHING REGU-
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BROWN SAID ABOUT "HALF A DOZEN" OTHER FOREIGN VESSELS,
INCLUDING JAPANESE SHIPS, HAVE BEEN CITED UNDER THIS LAW,
BUT NONE HAS BEEN SEIZED.

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FM SECSTATE WASHDC

TO COAST GUARD PRIORITY

UNCLAS STATE 070816

FOR POLAD BEN DIXON

FOLLOWING REPEAT STATE 070816 SENT ACTION USDEL SECRETARY 31
MAR 77

QUOTE UNCLAS STATE 070816 TOSEC 030133

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UNQUOTE CHRISTOPHER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
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Original Handling Restrictions: n/a
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2989278
Secure: OPEN
Status: NATIVE
Subject: SEIZURE OF SOVIET TRAWLER: DEPT'S PRESS BRIEFING MARCH 30, 1977 NO. 14
TAGS: SOPN, EFIS, UR, US, (VANCE, CYRUS R)
To: SECRETARY
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/301ad0b1-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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22 May 2009
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